

Testimony Pertaining to Raised Bill 1068 of the DMHAS 2007 Legislative Package,
For the Legislature's Consideration during February, 2007

David Messenger, February 12, 2007

As a 30-year resident of this state, acquittee of the State's Judicial System and former patient at Whiting's maximum-security division in Middletown, I very much appreciate this opportunity to address my personal experiences and perspectives as they relate to proposed Bill 1068.

First, some personal testimonial: I spent three-plus years in maximum security confinement of DOC facilities awaiting trial. During this period, I was as any prisoner—very limited as to any personal possessions, including clothing as well as most anything else not specifically provided by the State. Upon adjudication and acquittal of charges by NGRI, I was sent to Whiting where I then resided for several additional years. One can scarcely comprehend, without such experience, how very, very much difference it makes to simply be able to wear one's own clothing of choice and dress more as a typical citizen than State's prisoner. To illustrate individuality and personal taste, and appear "as normal" is a major boon to self-esteem and emotional/psychological recovery. Others view one through a different prism than when wearing a uniform (or jump-suit). Beyond that, being able to possess and use some fraction of material possessions—and selecting them personally—is a hugely vital and supportive step on the road to restored mental health. Even at that, anything remotely capable of inflicting harm to self or others was strictly prohibited except by special dispensation/oversight, to the point of excluding even flexible writing instruments to jot down thoughts or construct communication. Further, space for possessions was very, very limited but at least was a practical and reasonable governing factor for us. Nonetheless, I wish to re-emphasize just how much the permissible items meant to all of us given our circumstance. Versus prison-restrictions, it was as night and day.

And that seemed, generally, just—we were acquitted and therefore protected by not only the U.S. Constitution and Federal Bill of Rights, but quite clearly also by the Connecticut Patient Bill of Rights and *Roe v. Hogan*. These provide us with some bulwark of protection from abuse or *arbitrary decision-making* which in our disempowered status, could easily erode or even eliminate some or all of them. During my time there, considerable pressure was on to further restrict our range of apparel and other material possessions. If the decision-making over such an important dimension of our lives' quality and enjoyment came to be granted to any single individual (eg. Division Director) as proposed, I feel the whole intent of former legislative action is compromised and subverted. An important aid to our recovery could be taken away. Furthermore, discrimination, on an individual or group basis, could easily creep in to exacerbate problems and compromise humane and fair treatment.

Lastly, the system was not broken, nor is this any proper fix. Thank you so much for considering my thoughts and feelings. Please reject Bill 1068.

David Messenger